

## Message Text

CONFIDENTIAL

PAGE 01 CAPE T 00850 251734Z  
ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00  
INRE-00 SS-15 NSC-05 SP-02 L-03 H-01 DHA-02  
MCT-01 CIAE-00 INR-07 NSAE-00 PRS-01 PA-01 DODE-00  
/074 W

-----251741Z 041623 /46

O 251715Z MAY 77

FM AMEMBASSY CAPE TOWN

TO SECSTATE WASHDC NIACT IMMEDIATE 6149

USMISSION USUN NEW YORK NIACT IMMEDIATE

INFO AMEMBASSY BONN IMMEDIATE

USMISSION GENEVA IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY OTTAWA IMMEDIATE

AMEMBASSY PARIS IMMEDIATE

AMEMBASSY PRETORIA

C O N F I D E N T I A L CAPE TOWN 0850

E.O. 11652: GDS

TAGS: SF, WA, PFOR

SUBJ: NAMIBIA: PENDING EXECUTION OF NDUVUU FILEMON NANGOLO

REF: 76 PRETORIA 2348, AF/S KEOGH-DCM NELSON TELECONS  
MAY 25

1. I HAVE SPOKEN TO FOREIGN MINISTER BOTHA ABOUT NANGOLO  
CASE TO EXPRESS DEEPEST CONCERN ABOUT THE POTENTIAL  
DAMAGING EFFECTS ON OUR MUTUAL EFFORTS TO RESOLVE THE  
NAMIBIA ISSUE AND TO URGE A STAY OF EXECUTION. BOTHA  
SAID HE KNEW NOTHING ABOUT CASE BUT RECOGNIZING ITS  
SIGNIFICANCE INDICATED HE WOULD LOOK INTO IT RIGHT AWAY.

2. ACCORDING TO THE INFORMATION WE HAVE BEEN ABLE TO  
GATHER THUS FAR FROM PRESS, SWAPO, AND WINDHOEK LEGAL  
AND CHURCH SOURCES, NDUVUU FILEMON NANGOLO, AGE 24, WAS  
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ARRESTED IN KATUTURA TOWNSHIP OF WINDHOEK IN APRIL 1976,  
IN CONNECTION WITH MURDER OF ONE ADULT AND ONE CHILD IN  
DECEMBER 1975 (75 PRETORIA 4931) AND TWO ADULTS TWO  
MONTHS LATER (76 PRETORIA 0746). NANGOLO WAS INITIALLY  
CHARGED WITH BOTH MURDER AND TERRORISM. THE TERRORISM  
CHARGE WAS DROPPED AND NANGOLO WAS CONVICTED IN SEPTEMBER  
1976 ON THE MURDER CHARGE AND SENTENCED TO DEATH. HIS

APPEAL TO THE HIGH COURT IN BLOEMFONTEIN WAS DENIED LAST WEEK. OUR LEGAL SOURCE IN WINDHOEK (WHO ASKED TO BE PROTECTED BECAUSE HE WAS NOT SUPPOSED TO BE PRIVY TO THE INFORMATION) ADVISES HE (1) SAW LETTER FROM MIN JUSTICE KRUGER TO PRESIDENT DIEDERICH'S SEEKING A REPRIEVE FOR NANGOLO WHICH WAS REJECTED BY THE PRESIDENT, AND (2) HAS LEARNED EXECUTION IS SET FOR MONDAY, MAY 30. LEGAL SOURCE IS OF THE OPINION THE KRUGER REPRIEVE LETTER WAS PRO FORMA PROCEDURE TO DISPOSE OF NANGOLO'S FINAL RECOURSE. RE EXECUTION DATE, CHIEF WARDEN OF WINDHOEK PRISON TOLD EMBOFF EARLY THIS MORNING IT HAD NOT YET BEEN SET. BELIEVE OUR LEGAL SOURCE IS MORE LIKELY TO BE CORRECT.

3. THE CASE WILL BE MORE AWKWARD TO HANDLE WITH MURDER UNDER ORDINARY CRIMINAL LAW RATHER THAN THE TERRORISM ACT INVOLVED. SWAPO WILL NATURALLY NOT BE DETERRED FROM CONTINUING TO INSIST THIS IS A PURELY POLITICAL CASE. SUCH VIEW WILL BE WIDELY ENDORSED IN AFRICA AND THE UN. MOREOVER, PRESS DEPICTS NANGOLO AS ONE OF MUST WANTED NAMIBIAN TERRORISTS AT THE TIME OF HIS APPREHENSION. EMOTIONAL ELEMENT IS STRENGTHENED BY FACT THAT NANGOLO IS PARALYZED AS RESULT OF BULLET WOUND RECEIVED AT THE TIME OF HIS ARREST (76 CAPE TOWN 450).

4. DEPT. MAY WISH TO CONSULT WITH ARTHUR PICKERING, AN IV GRANTEE NOW IN THE US, WHO WAS NANGOLO'S DEFENSE COUNSEL. PICKERING CAN BE LOCATED THROUGH CU/AF TONY DALSIMER (EXT. 23281). WE UNDERSTAND PICKERING IS EN  
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ROUTE TODAY, MAY 25, FROM SAN FRANCISCO TO NEW YORK WHERE HE IS DUE TO ARRIVE AT 1800 LOCAL AND WHERE PROGRAM BEING ARRANGED BY DEPT OF STATE RECEPTION CENTER (PHONE: 399-5647). PICKERING TO STAY AT PICADILLY HOTEL (PHONE: CI-66600).

5. TRANSMITTED BY SEPTTEL IS MESSAGE WE HAVE RECEIVED FROM SWAPO WINDHOEK REQUESTING US AND INTERNATIONAL COMMUNITY TO PURSUADE SAG NOT TO CARRY OUT THE EXECUTION OF NANGOLO. BOWDLER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXECUTIONS, TERRORISTS  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
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**Previous Classification:** CONFIDENTIAL  
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**Reference:** 76 PRETORIA 2348  
**Retention:** 0  
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**Review Event:**  
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**Review Media Identifier:**  
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**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
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**Subject:** NAMIBIA: PENDING EXECUTION OF NDUVUU FILEMON NANGOLO  
**TAGS:** PFOR, PORS, SF, WA, (NANGOLO, NDUVUU FILEMON)  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
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